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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/522,584	03/10/2000	Toyoaki Furusawa	0828.63692	5350

7590 02/06/2004

Patrick G. Burns Esq.
Greer Burns & Crain Ltd.
300 S. Wacker Dr.
Suite 2500
Chicago, IL 60606

EXAMINER

ENG, DAVID Y

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 02/06/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/522,584

Applicant(s)

FURUSAWA ET AL.

Examiner

DAVID Y. ENG

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-2, 4 and 7 are rejected under 35 U.S.C. 102(a) as being anticipated by Nicholls (USP 6,662,232).

Nicholls teaches a message processing apparatus for receiving and displaying e-mail messages (see the first 2 lines of abstract) sent from a sending end to a receiving end, the email messages having at least a header, a title and a body (well known), the apparatus comprising:

Reception means (line 7-10, abstract) for receiving an e-mail message sent from the sending end;

A keyword lookup table (the collection of keywords programmed by the user, such as keyword "Allport" appearing in the user identification , domain name "PBItD" or "top priority", etc.) (see column 5, line 7-13) that associates predefined keywords with handler programs (see "enhancement features" in line 6 of column 5 and "priority messaging tasks" in Figure 7 and in line 19 of column 5 and in lines 13-43 of column 6), the keywords representing a characteristic of the e-mail messages, such as worthiness or urgency (see "priority features" in line 5 of column 5),

Keyword information extraction means (the circuit in Nicholls for identifying keywords such as "allport" etc. in e-mail messages, see lines 13-43 of column 6) for examining the title or body (key words can be in any section of the e-mail message in Nicholls) of the e-mail message received by said reception means with reference to said keyword lookup table to determine whether the received e-mail message contains any one of the keywords defined in the keyword lookup table;

Program loading means (see "priority messaging tasks" in line 32-33 of column 6), disposed at the receiving end, for consulting said keyword table to load one of handler programs (fax, paged or telephone, see Figure 7) that is associated with the keyword found in the received e-mail message; and

Executing means (processor, disposed at the receiving end, for executing the handler program loaded by said loading means at prescribed times.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls (USP 6,662,232) in-view of Fujiwara (USP 6,301,710).

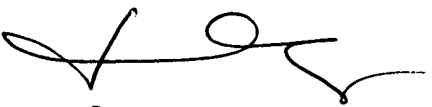
Nicholls teaches claim combination set forth above. Downloader is well known in the art. See the abstract in Fujiwara. Whether programs are pre-stored or downloaded is a matter of design choice. From the teaching of Fujiwara, it would have been obvious to a person of ordinary skill in the art to use a downloader to download the programs of Nicholls to subscribers such that the subscribers can use the subscribed features.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



DAVID Y. ENG
PRIMARY EXAMINER